



PROSECUTORIAL DISTRICT III

DOMESTIC VIOLENCE REPORT

2006

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Report for Domestic Violence Cases in Androscoggin County - 2006

District III saw a steady increase in domestic violence cases in 2006. Androscoggin County processed six hundred eighty one (681) cases in the Lewiston District Court alone. Superior Court saw the largest increase as more defendants were indicted for Class C offenses that were elevated to felony status as a result of prior convictions. Data is not currently available for 2006 Superior Court cases as our system for tracking those cases began in 2007.

Farmington Superior and District Courts initiated a total of one hundred forty nine (149) cases. Oxford County Superior and District Courts initiated one hundred ninety nine (199) domestic violence cases.

A. What resources are available?

Domestic violence cases require more resources than many other cases prosecuted by the District Attorney. Victims of assault and other domestic violence crimes request and expect to be able to meet with prosecutors and convey their thoughts on how the case should proceed. Armed with the knowledge that most victims will recant their statements to the police, investigators work hard to find evidence of the crime beyond the victim's testimony.

II. Statistics

Using the attached data to determine conviction rates does not necessarily reflect the number of defendants convicted. For example, a defendant may be charged by complaint with one (1) count of assault and one (1) count of criminal threatening. Because both charges arise out of the same incident, a plea or conviction of both charges would likely result in a concurrent sentence. Pursuant to a plea agreement, a defendant might plead guilty to an assault charge in return for the State's dismissal of an accompanying criminal threatening charge. The result would be a conviction rate of 50%. If our data was collected and analyzed based on defendants

instead of charges, our conviction rate for this case would then be 100%. In short, the manner in which data is collected and analyzed must be considered in evaluating the quality and success of domestic violence prosecutions.

We wish to stress that these numbers, while an impressive and dramatic improvement over prior years, do not adequately describe the efforts of those involved in the prosecution of domestic violence in this prosecutorial district. Successful prosecution of a domestic violence case does not always or necessarily involve a conviction for a criminal charge. If we pay attention only to conviction rates, we ignore the defendant whose case was filed with the condition that he complete the Certified Batterer's Intervention Program or the victim who, after meeting with the domestic violence victim's advocate, leaves the marital home to avoid further abuse while refusing to cooperate with prosecution of the case. The measures for successful prosecution are too numerous to list. It is important therefore to realize that numbers are only one measure.

Domestic Violence Report, District III, Lewiston District Court 2006

Cases Initiated	681
Cases Approved	634
Cases Declined	47
Total Cases Resolved	681
Found Guilty After Trial	3
Found Guilty Upon Plea	486
Acquitted	2
Filed	N/A
Dismissed	143

Domestic Violence Report, District III, Oxford County 2006

Cases Initiated	199
Cases Approved	166
Cases Declined	33
Total Cases Resolved	166
Found Guilty After Trial	34
Acquitted	0
Filed	19
Dismissed	49
Found Guilty Upon Plea Including	49
(a) Administrative Release	3
(b) Deferred Disposition	30

Domestic Violence Report, District III, Franklin County 2006

Cases Initiated	149
Cases Approved	104
Cases Declined	45
Total Cases Resolved	104
Found Guilty At Trial or by Plea	57
Acquitted	0
Filed	13
Dismissed	34